



One Old Country Road • Carle Place, NY 11514

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MAILING ADDRESS:

P.O. Box 341, Carle Place, NY 11514

February 23, 2001

**VIA FACSIMILE**  
**AND OVERNIGHT MAIL**

Mr. Michael J. Negrelli  
New York Remediation Branch  
Emergency and Remedial Response Division  
U.S. Environmental Protection Agency  
290 Broadway  
New York, New York 10007-1866

Elizabeth Leilani Davis, Esq.  
New York/Carribean Superfund Branch  
Office of Regional Counsel  
U.S. Environmental Protection Agency  
290 Broadway  
New York, New York 10007-1866

Re: Agreement and Covenant Not to Sue – Old Roosevelt Field Contaminated  
Groundwater Area Site/Treeline Garden City Plaza LLC (CERCLA-02-  
2001-2010), dated as of December 21, 2001 (the “PPA”)

Dear Mr. Negrelli and Ms. Davis:

Reference is made to (i) the PPA and specifically to Article VII, Paragraph 27(b)(ii) thereof and (ii) that certain Subject Property Health & Safety Plan for the Site Located at 100, 200 and 300 Ring Road, Garden City, New York, dated as of February, 2001 (the “Plan”). Please be advised that an emergency situation has developed at the property in that a sudden rupture of an underground heating pipe in between 200 and 300 Ring Road has caused an interruption of heat to the buildings. This rupture must be repaired on an emergency basis and will require an Emergency Excavation pursuant to Article 3 of the Plan, which excavation will take place today and over this weekend. Please be assured that full compliance with the PPA and the Plan will be effected in connection with this Emergency Excavation.



Pursuant to the Plan, we will confirm this notice with you as soon as the scope of the Emergency Excavation and the nature of the work to be performed is known. If you have any questions, please do not hesitate to call me.

Sincerely,

TREELINE GARDEN CITY PLAZA LLC,  
By: Treeline Management Corp., managing agent

By:

  
Michael I. Schor

Vice President and General Counsel

Cc: Jane J. Kim, Esq.